

FILED
UNITED STATES DISTRICT COURT
LAS CRUCES, NEW MEXICO

MAY - 7 2025

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

MITCHELL R. ELFEN
CLERK OF COURT

UNITED STATES OF AMERICA,)
Plaintiff,) NO. CR25-1102 GBW
vs.) Count 1: 8 U.S.C. §1325(a)(1):
JOSE BENJAMIN LOPEZ-HERNANDEZ,) Illegal Entry Without Inspection
Defendant.) Count 2: 50 U.S.C. § 797 (Class A
Misdemeanor): Penalty for Violation
of Security Regulations
) Count 3: 18 U.S.C. § 1382: Entering
Military Property.

INFORMATION

The United States Attorney charges:

On or about April 27, 2025, in Doña Ana County, in the District of New Mexico, the defendant, **JOSE BENJAMIN LOPEZ-HERNANDEZ**, who was then and there an alien, did knowingly and unlawfully enter the United States from the Republic of Mexico, at a place not designated as a lawful Port of Entry by immigration officials of the United States for the entrance of immigrants into the United States.

In violation of 8 U.S.C. § 1325(a)(1).

Count 2

On or about April 27, 2025 in Doña Ana County, in the District of New Mexico, the defendant, **JOSE BENJAMIN LOPEZ-HERNANDEZ**, willfully violated the order issued on April 18, 2025, by the U.S. Army Garrison Fort Huachuca military commander designating the New Mexico National Defense Areas, also known as the Roosevelt Reservation, as both a

restricted area and a controlled area under Army Regulation 190-13, prohibiting the unauthorized entry into the New Mexico National Defense Areas, a defense property security regulation.

In violation of 50 U.S.C. § 797.

Count 3

On or about April 27, 2025, in Doña Ana County, in the District of New Mexico, the defendant, **JOSE BENJAMIN LOPEZ-HERNANDEZ**, entered any military reservation, post, fort, arsenal, station, and installation, specifically, the New Mexico National Defense Areas, also known as the Roosevelt Reservation, which had been designated both a restricted area and a controlled area pursuant to U.S. Army Regulation 190-13 by the U.S. Army Garrison Fort Huachuca military commander, for any purpose prohibited by law or lawful regulation, specifically, 8 U.S.C. § 1325(a)(1), illegal entry without inspection.

In violation of 18 U.S.C. 1382.

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